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PATENT & TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of D. Swistak et al.

Date: October 5, 2004

Serial No. 10/677,772

Examiner: T. Mayo

Filed: 10/1/03

Art Group: 3671

For: Leaching Chamber with Inward Flaring Sidewall Perforations

Atty Docket No. 2313

To: Commissioner for Patents

Please amend the specification as shown on the enclosed sheets.

Please amend the claims as shown in the status of claims pages, attached

Please replace the present drawings with the enclosed 5 sheets of new drawings.

REMARKS

Applicant submits drawings which are better in style and clarity.

Applicant has amended the specification as shown in the mark up, to insert proper references, and to describe what the drawings show. So, there is no new matter.

Examiner's remarks about an IDS and Form PTO 892 are noted and appreciated. Applicants do not feel any other response is needed, since the patent referenced in the background is only a teaching about the kind of prior art chambers with which examiner is quite familiar.

The rejection of claim 13 for indefiniteness has been addressed in the amendment. (Applicants did not understand the basis for rejection. By way of example, the slope or incline of a hill is said to be upward or downward, according to where the viewer is situated, at the bottom or top of the hill. In this instance, the incline of a basis axis was and is defined in terms of whether the reference point is inside the chamber or outside the chamber, and looking at the axis.) If the claim is still unsatisfactory, perhaps the examiner might call applicants' attorney to arrive at different language.

Claim 1 has been rewritten to include the matter of claim 2 which was objected to, and thus it should now be allowable.

With respect to claim 2: Applicants admit solid tops are known in leaching chambers. However, the claim should be allowed as a more particular embodiment, obtaining novelty from claim 1.

With respect to claim 3: Applicants request allowance, again as a more particular embodiment of the invention of claim 1. In further support: the chambers or Fouss, Gray and Nichols all have planar (non-curved) sidewalls. The reason is that such enables constant slot size and slope. Thus, it is not obvious how curved walls would work with such slots.

Claims 4 and 5 should be allowed as more particular embodiments of the patentable invention of claim 1.